

EXHIBIT "F"

Development and Construction Guidelines

Article I. Subdivision Development

Development of Bent Pine Preserve is subject to Land Development Permit No. 96010108-74-45 issued by Indian River County on July 6, 2015, as it may be amended from time to time (the "LDP"), and the construction plans approved in conjunction with such LDP ("LDP Plans"); provided, the LDP Plans and Plats recorded pursuant thereto shall not be amended without the written approval of the Club and BPCA if such amendment would be inconsistent with the BP Covenants. In the event of any conflict between (i) the LDP, the LDP Plans, the Plats, or the requirements of Indian River County, Florida and (ii) this Exhibit "F," Exhibit "F-1," or the Development Plan referenced herein, the LDP, LDP Plans, Plats and requirements of Indian River County, Florida shall control and compliance therewith shall be deemed compliance with the conflicting provision of this Exhibit "F" or Exhibit "F-1".

1.1. Density. The overall density of Bent Pine Preserve, taken as a whole, shall not exceed two single family residential units per acre.

1.2. Maximum Allowable Units; Lot Sizes. Bent Pine Preserve shall be developed according to the LDP Plans into not more than 140 Units; however, the Declarant reserves the right to amend the Development Plan by converting the lots on Kings Highway and 61" Street to condominium single family residences similar to Bent Pine Condominium, with no greater than 140 total Units constructed in Bent Pine Preserve. Except for pie-shaped lots and Units in any such condominium, each Unit shall have minimum lot dimensions of 80 feet by 135 feet. Pie-shaped lots may be less than 80 feet across if the total area of such lot is at least 10,000 square feet.

1.3. Preserve Area. Except within that portion of the Community identified on a recorded plat executed by the Declarant as being subject to a preservation easement ("Preserve Area"), which shall remain undisturbed, the Declarant shall have the right to take such actions with respect to trees and other vegetation within the rest of Bent Pine Preserve as it deems appropriate in its sole discretion so long as they are in accord with applicable County standards. Within the preservation easement area, the Declarant may cut underbrush and maintain the area, but may not cut any trees. The Preserve Area shall not be built on and shall remain in its natural state in perpetuity. An approximately 40-foot-wide easement is hereby granted to the Club to allow access and buffers along the eastern boundary of such Preserve Area (bordering the golf course) for the benefit of the Club.

1.4. Concept Plans. Prior to construction of any Living Units in Bent Pine Preserve, the Declarant or Builder shall submit to the Club and to BPCA's board of directors, for conceptual approval, designs for at least three or four model types for dwellings proposed to be constructed within the Community, including elevations, color palettes, and proposed exterior materials for roof and exterior facades ("Conceptual Plan Submittals"). Such right of approval shall be exercised in a manner consistent with design requirements and standards already applied in the Bent Pine Community and these Development and Construction Guidelines. No further DRB approval shall be required for Initial Construction (as defined in Chapter 5 of the Declaration) of any Living Unit in accordance with the approved Conceptual Plan Submittals, provided that the Builder provides written notice to the DRB at least seven (7) days prior to commencement of such construction identifying the lot on which the Living Unit is to be constructed and the

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specific previously-approved model, front elevation and color palette to be used, which notice is accompanied by written confirmation by the Declarant that (i) there are at least two lots between any two Living Units on the same side of the street using the same front elevation or color palette; and (ii) no two Living Units using the same front elevation or color palette face each other on the same street. For this purpose, front elevations shall be considered the same even if they are reversed (flipped from left to right or vice versa). Prior to construction of any Living Unit which varies from the approved Conceptual Plan Submittals or which does not meet the foregoing conditions, any deviations shall be submitted by the Declarant to the Club's designated committee and to the DRB for further approval.

1.5. Additional Declarant Rights. Notwithstanding any other provision of the Declaration or these Development and Construction Guidelines, the Declarant shall have the rights: (i) in perpetuity, to have a monument at the entrance to Bent Pine Preserve stating that name; (ii) to maintain a sales office on the premises; and (iii) to allow builders to place 4' x 4' signs on Units under construction prior to obtaining a certificate of occupancy. Builders may, with written approval of the Declarant, maintain model homes (which may include a sales office in one model home) while selling homes in the Community and the Association shall cooperate with Declarant and such Builders, at no expense or liability to the Association, in obtaining and renewing temporary use permits for such purposes.

Article II. Construction of Improvements and Alterations

In addition to the standards set forth in this Article II, the construction standards pertaining to the exterior appearance of homes as set forth in the architectural planning criteria adopted by the BPCA on July 10, 2003, a copy of which attached hereto as Exhibit "F-1," shall apply to all Improvements on Units, except that: (i) the setbacks established in Section 2.4 below shall apply instead of any more restrictive setback requirements in such architectural planning criteria; (ii) Sections 3, 15 and 16 of Exhibit F-1 and any references to the Bent Pine Declaration of Covenants, Conditions and Restrictions shall not apply; and (iii) in the event of any conflict between the provisions of Chapter 4 of the Declaration or the body of this Exhibit "F" and Exhibit "F-1," the provisions of Chapter 4 of the Declaration and in the body of this Exhibit "F" shall control over the provisions of Exhibit "F-1." Construction of Living Units in Bent Pine Preserve shall be equal to or better than that allowed in the Bent Pine Community, but subject, however, to any variances from or waivers of such standards which have previously been granted to lot owners within the Bent Pine Community by the DRB or the BPCA. Notwithstanding the foregoing, none of the construction standards pertaining to the interior of homes shall be applicable.

2.1. Removal of Buildings. No building or structure shall be moved from or upon any Unit or any other portion of the Community without the DRB's written consent, except that the DRB's prior approval shall not be required to demolish damaged structures and remove debris in accordance with Section 6.2 of the Declaration following damage to or destruction of such structure.

2.2. Commencement and Completion of Construction. Unless otherwise approved by the DRB, construction of approved Improvements shall commence within 90 days from the date that approval is obtained from Indian River County authorities and shall proceed continuously. All exterior construction and paint and stain finishing for which plans and specifications are required herein to be submitted

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to the DRB for approval, shall be completed within 12 months from the date of approval for said approval to remain in force, unless the DRB shall grant a greater period of time to complete said construction or shall grant an extension of such 12-month period. Notwithstanding the above, the periods for commencement and completion set forth herein shall automatically be extended by one day for each day of delay resulting from cause or causes beyond the reasonable control of the Owner, Builder or other Person responsible for such construction, including, without limitation, acts of God, labor disputes, labor or material shortages, government-imposed moratorium or similar action, and other unusual governmental delays in issuance of necessary permits or approvals.

2.3. Easements and Rights-of-Way. No dwelling house, garage, outbuilding, or other structure or improvement and no tree, bush, shrub or landscaping of any kind shall be built or maintained upon any easement or right-of-way, and said easements and rights-of-way shall at all times be open and accessible to the persons entitled to the use thereof.

2.4. Setbacks. No building, structure, or object, except approved fences, walls, gates, swimming pools and pool decks (subject to Indian River County standards), entrances or landscaping shall be erected, placed or maintained on any Unit (a) nearer than 10 feet for 80-foot lots and 7.5 feet for any condominium single family unit, if any, to the side line of any Unit, (b) nearer than 25 feet to the front line of any Unit or condominium parcel, or (c) nearer than 25 feet to the rear lot line of any Unit or condominium parcel, unless approved by the DRB. The front of any Unit shall be the side adjacent to a street. In determining which is the front of a Unit adjacent to two streets, the side of such Unit fronting on a street other than the street designated as the main loop road shall be deemed the front of the Unit. The rear shall be the side opposite from the front.

2.5. Minimum Dwelling Size and Height Limitations. No Living Unit shall be constructed within Bent Pine Preserve unless it has a minimum of 2,400 square feet of air-conditioned living area, exclusive of garages, carports, porches and patios, except as may be approved by the DRB. In the case of a two-story Living Unit, the first floor must contain at least 1,600 square feet of living area, and the second floor must contain at least 1,200 square feet of living area, measured as provided above, unless otherwise approved by the DRB. No Living Unit more than two stories in height and no appurtenance outbuildings more than one story in height shall be erected, constructed, or maintained on any Unit.

2.6. Parking and Garage Requirements. No Living Unit shall be erected without providing an enclosed garage of sufficient size for fewer than two standard automobiles. No open carports shall be constructed. No garage shall be constructed in such a manner that the automobile entrance thereto shall face a street adjacent to said Unit, except as may be approved by the DRB. No garage shall be constructed in such a manner that the automobile entrance shall face any portion of any adjacent golf course, unless approved by the DRB. Overhangs extending out from the front door that may be driven under are permitted, subject to DRB approval. Vehicles may not be permanently parked under such areas, which are for temporary use only.

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2.7. Fences, Walls, Hedges, Landscaping and Irrigation.

(i) No fence, wall, hedge, or mass planting of any type shall be constructed, planted, placed, or maintained upon any Unit without the written consent and approval of the DRB.

(ii) All Units shall be fully landscaped contemporaneously with the completion of construction of the dwelling. An automatic, electric, underground lawn sprinkling system shall be installed of sufficient size and capacity to fully water the entire Unit outside of the dwelling and all grass and shrubbery.

2.8. Exterior Lighting. At the time of construction of a Living Unit, coach lights of the type, design, and location to be determined by the DRB shall be installed. The standards for exterior lighting established by the DRB shall permit exterior lighting of the types and designs and in the same relative locations on the lots as those installed on lots in the Bent Pine Community. No exterior lighting fixtures shall be installed on any Unit without adequate and proper shielding of the fixture. No lighting fixture shall be installed that may become an annoyance or nuisance to the residents of adjacent properties. In the event of a dispute, the decision of the DRB shall govern. Once installed, exterior lighting shall continuously be maintained in good working order by the Owner of the Unit.

2.9. Utilities.

(i) Wires and conduits for the transmission or distribution of electricity, telephone and other purposes, public sewers, land drain pipes, water and gas mains, or other pipes shall, to the extent permitted by governmental requirements, be placed beneath the surface of the ground, except that street light standards and similar electrical equipment, equipment boxes, sewer clean outs, and similar items may be placed upon the surface after the DRB has approved the design, location and, where needed, the proposed screening.

(ii) Temporary poles used for the transmission of electricity, telephone, and other purposes during the original period of dwelling construction may not be erected, placed, installed or maintained upon any Unit or portion of Bent Pine Preserve without the consent and written approval of the DRB, except by the Declarant.

2.10. Excavations, Fill and Elevation Changes. No excavation for stone, gravel, sand or dirt shall be made on any portion of Bent Pine Preserve, except for the construction of lakes, drainage, approved subdivision improvements, dwellings, walls, fences, foundations, structures, landscaping, swimming pools and other appurtenances, plans and specifications for which excavations have been approved by the DRB consistent with the Development Plan. No changes in the elevation of any Unit shall be made upon any Unit, nor shall any fill be used to extend the property beyond the lot line without the prior written consent of the DRB.

2.11. Preservation and Maintenance of Slopes. Except as may be undertaken by Declarant or its designees in accordance with the LDP Plans, after the date of recording of this Declaration: (a) no Person shall reconstruct, damage, destroy, open, reduce, remove, alter, modify or install any thing or im-

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provement within, over, or upon any bank, slope or swale within Bent Pine Preserve without first obtaining DRB approval; and (b) no construction or excavation in the proximity of any canal, bank, slope or swale shall be permitted which, in the opinion of the DRB, would impair the stability of the slopes in said areas.

2.12. Wells. After the date of recording of this Declaration, no water wells shall be dug on any Unit or within Bent Pine Preserve without the DRB approval in writing. Until such time as public water is available, each Owner shall have the right to construct one well per Unit.

2.13. Swimming Pools. Subject to DRB approval, swimming pools may be constructed on certain Units, provided that access to them from outside the Unit is controlled from all directions by appropriate enclosures and the residential structure. If pools are protected by screens, such screens and their structures shall be approved by the DRB. All swimming pools are subject to DRB approval, and such approval may be withheld as to any Unit when the DRB determines that the pool would not be in harmony with surrounding property.

2.14. Roofs. All roofs except as hereafter set forth shall have a minimum pitch of 4-1/2 to 12. Flat roofs may be employed only on porches located to rear of the dwelling and not visible from the street in front of the house. All roofing materials shall be approved by the DRB. No air-conditioning, heating or other appliances of any kind shall be constructed or placed upon a roof of any building or any part thereof, except solar heating units which have been approved by the DRB.

2.15. Outdoor Fireplaces and Grills. No outside fireplace or grill shall exceed six feet in height above the natural ground elevation of the Unit, unless otherwise approved by the DRB.

2.16. Exterior Finishes. All exterior portions of any building shall consist of natural woods, brick, stone, and such earthtone colors as the DRB shall approve. All exteriors of buildings, outbuildings, walls and fences, and all exterior surfaces of any type, quality or nature shall be painted or otherwise covered in uniform, soft colors. All colors of exterior surfaces shall be subject to the approval of the DRB. Nothing herein shall be construed to require all exterior surfaces to be of the same color.

2.17. Guest Suite. A guest suite or like facility without a kitchen may be included as part of the main dwelling or accessory building, but such suite may not be rented or leased except as part of the entire premises including the main dwelling and provided, however, that such guest suite would not result in overcrowding the site as determined by the DRB. A guest suite shall not be considered to overcrowd the site provided the percentage of the area of the Unit covered by buildings does not exceed the maximum building coverage permitted by applicable zoning.

2.18. Antennas, Satellite Dishes, and Aerials. No radio, television or other aerial, antenna, tower or transmitting or receiving aerial, or support thereof, shall be erected, placed or installed on any Unit, Living Unit, or upon any building or structure, except:

(a) those devices which may be erected, installed, placed, or maintained and used under eaves or entirely within the enclosed portion of an individual Living Unit or garage, and in no event shall

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such devices protrude above the highest point of the dwelling situated upon such Unit or extend more than one foot from overhang or wall;

(b) any of the following devices, subject to such reasonable requirements by the DRB as to location and screening, consistent with applicable law, in order to minimize obtrusiveness as viewed from streets and adjacent property:

(i) an antenna that is one meter or less in diameter and designed to receive direct broadcast satellite services, including direct-to-home satellite services, or to receive or transmit fixed wireless signals via satellite; or

(ii) an antenna that is one meter or less in diameter and designed to receive video programming services via multipoint distribution services, including multi-channel multipoint distribution services, instructional television fixed services, and local multipoint distribution services; or

(iii) an antenna that is designed to receive television broadcast signals.